

REMARKS

The following is intended as a full and complete response to the Office Action mailed on March 8, 2004. Claims 18 and 19 were examined. Claims 18 and 19 stand rejected under the judicially created doctrine of obvious-type double patenting in view of claims 1-17 of Gerrish (U.S. Pat. No. 6,631,027).

Claims 18-34 remain pending in the Application after entry of this response. New claims 20-34 have been added. No new matter has been added by the new claims.

Rejection under doctrine of obvious-type double patenting

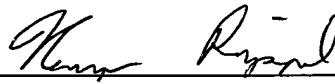
Claims 18 and 19 stand rejected under the judicially created doctrine of obvious-type double patenting in view of claims 1-17 of Gerrish. A terminal disclaimer is included with this response to overcome the rejection. Assignment documents for Gerrish (and all continuations thereof, thus including the present Application) from Corning, Inc. to Avanex Corp. are also included with this response. The indicated document in Schedule A, U.S. Pat. App. Publ. 2002/0093729, is the publication number for Gerrish's application. Withdrawal of the rejection is respectfully requested.

Since new claims 20-34 depend on allowable claims 18 and 19, Applicants submit these claims also are in condition for allowance.

Conclusion

Based on the above remarks, Applicant believes that he has overcome all of the rejections set forth in the Office Action mailed March 8, 2004 and that the pending claims are in condition for allowance. If the Examiner has any questions, please contact the Applicant's undersigned representative at the number provided below.

Respectfully submitted,



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